Dennis R. Floss Democrat and Chronicle

Senior Center and 5th and 6th graders from St. Jerome's School. The seniors taught the youngsters the finer points of swinging partners.

Gunman flees woman's wrath

She scares him with cane

By Todd Lighty
Democrat and Chronicle

A 77-year-old woman lifted her walking cane and threatened to whack an armed robber yesterday, scaring him away just seconds after he had held up her friend while the two elderly women were waiting for an elevator.

Investigators believe the gunman may be responsible for a series of similar armed robberies committed during the past four weeks in Rochester's east side neighborhoods.

The east-side gunman approaches people, sticks a gun in their faces and demands their wallets and purses,

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D&C 10/29/86

Verdict awaited by the 'Topfree 7'

By John O'Brien
Democrat and Chronicle

The public has a right not to be exposed to the sexual parts of another person, and a state law under question in Rochester City Court merely enforces that right, a prosecutor contended yesterday in the final arguments in the case of the "Topfree Seven."

The arguments were made before City Judge Herman J. Walz, who said he will decide by Dec. 16 whether the state law, which bars women but not men from going shirtless in public, is constitutional.

Seven women charged with exposure of a person moved for dismissal of the charges on the grounds that the law is unconstitutional. The women were arrested June 21 at Cobbs Hill Park after they took off their shirts.

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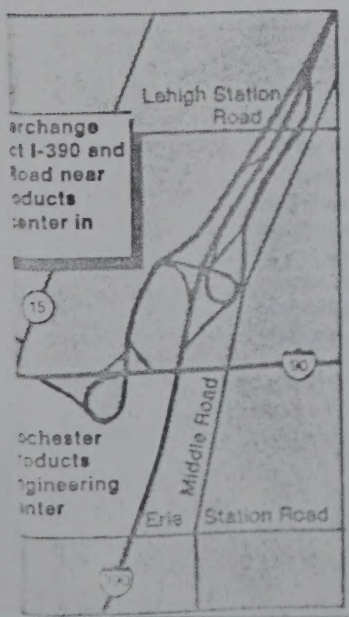

Xerox gives RIT $3.7 million

Money is to be used in expansion program

By James Goodman
Democrat and Chronicle

The Xerox Corp. has made a $3.7 million grant to the Rochester Institute of Technology capital campaign for expansion of the school, RIT officials announced yesterday.

The contribution, which will be paid over a five-year period, was the largest gift RIT has received from a private donor to finance this expansion, said C.J. Young, RIT's vice president for development.

And it puts RIT within $24 million of reaching the $85 million needed for the new buildings and programs called for in July, Young said.

"The gift will certainly have a significant impact on the success of our campaign," Young said.

David Kearns, chairman of the board of Xerox in Stamford, Conn., will be in town today to discuss the grant with RIT President M. Richard Rose.

The Xerox money will be used to supplement salaries of faculty in engineering and imaging science and to buy equipment for engineering, imaging science and electronic publishing, Young said. Imaging science involves storing, retrieving and processing information from images.

The centerpiece of the expansion plan is a research and development park that will be built on a 90-acre plot of land in the northeast corner of RIT's Henrietta campus.

D'Amato's press secretary, Gary Lewi, calling it "politics of desperation."

D'Amato, who is seeking his second term, has said the state re- D'Amato supported in 1981, that 150,000 people are no longer receiving job training benefits, and Social Security retirement and survivors benefits for New Yorkers

Verdict awaited by 'Topfree 7'

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Assistant District Attorney Thomas J. Brilbeck, who did not address the constitutional issues during the four-day, non-jury trial of the women last month, told Walz that previous court decisions have defined women's breasts as "private or intimate portions" of the body.

The state exposure law is justified in distinguishing between men and women because it serves an "important governmental interest" by upholding community mores, Brilbeck argued.

The women have also contended that the law violates their constitutional rights to freedom of speech, but Brilbeck cited a decision last week by the state Court of Appeals that upheld a governmental ban on public nudity.

The Court of Appeals ruled in that decision that a man's constitutional right to freedom of speech or free expression was not violated when he was arrested while sunbathing nude at a beach in Queens.

David R. Moss, a lawyer representing five of the women, argued that the Queens case differed in several ways from the women of the Topfree Seven. In this case, he said, the women clearly intended to get a message across that those around them could understand.

Brilbeck, however, said that the women's freedom of expression was never suppressed. They conducted media interviews before and after the event at Cobbs Hill Park, handed out news releases, and got their point across during the trial.

Lawrence L. Kasperek, an assistant public defender representing one of the women, argued that the law does not serve any important governmental interests and is discriminatory because it's based on sex-role stereotypes.

Kasperek said that women's breasts have been defined in previous court rulings as sexual parts of the body, but only in reference to sexual abuse cases. Women's breasts, when they are not the object of sexual abuse, should not be considered sexual objects, he argued.

"There's no question discrimination is clear in our case, and the effect on women is pernicious," said Mary Lou Schloss, a defendant who is representing herself.

Schloss argued against the contention that the law is justified in its discrimination because nature, and not lawmakers, made women different from men.

If it were permissible to allow discriminating laws based on the fact that nature made men and women different, then people with black skin could also be discriminated against, Schloss said.

Besides Schloss, the other six defendants are Nikki Craft, Ramona Santorelli, Lynn Zicari, Kathy Reilly, Debora Seymour and Elise Jo Tooley.

Xerox gives RIT $3.7 million grant

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Groundbreaking for the park is expected in the spring, Young said.

The plan, which was devised by a committee of the school's Board of Trustees, also calls for the construction over the next five years of an $8.5 million imaging science center, a $9 million sports and counseling complex, a $2.5 million visitors' center and a $6.5 million addition to Wallace Memorial Library on the RIT campus.

Fund-raising for the expansion began in January 1985 and had reached $53.5 million in pledges and contributions by the time the plan was presented to the public in July.

RIT officials learned of the $3.7 million grant from Xerox about Oct. 1, Young said.

All the $61 million raised to date for the expansion, Young said, has been from private sources, except for the $11.1 million recently given RIT by the Department of Defense.

● INDICATES THE FIRST APPEARANCE OF A PAID NOTICE IN THIS NEWSPAPER

● Bemish, Margaret K.

Oct. 24, 1986. She is survived by her many friends.

Calling hours will be Wed. evening 7-9 at the John M. Hedges Funeral Home corner of Culver and Empire Blvd. Funeral Mass Thurs. morning at 9 o'clock at St. Boniface Church. Interment White Haven. Arrangements Thomas F. Trott Funeral Home.

● Berthold, William H.

CHURCHVILLE: Suddenly Oct. 27, 1986. Survived by his wife, Betty J. Berthold; daughters and son-in-law, Jean and Dave Knapp, Joan Berthold; brother and sister-in-law, James and Rita of AZ; aunts, Blanche Roberts, Mildred Batz; brother-in-law and sisters-in-law, William Kreiger, George and Beth Kreiger, Robert and Frances Curts and Stella Batz; several nieces and nephews.

Friends may call Thursday 2-4, 7-9 at the Walker Brothers Co. Funeral Home, Inc., 21 S. Main St., Churchville where services will be held Friday at 10 am. Interment Creekside Cemetery. William was past chief and life member of the Churchville Fire Dept., past coordinator of the Monroe County 4th Batallion. In lieu of flowers contributions may be made to the Churchville Fire Dept. in his memory.

● Carley, Harold

Survived by his wife; Maude, 1 son & daughter-in-law; H. William & Jean Carley, 6 grandchildren; Scott, Eric, Brian, Janine, Renee Benjamin & Elise.

Private Services. Interment at convenience of the family. Arrangements Dierna Funeral Home.

● Cochran, Edward F.

Of Scio, formerly of Fairport. Oct. 27, 1986. Survived by wife, Frances; daughter, Mrs. William (Constance) Foster of Fairport; son, Russell of Victor; 6 grandchildren; 3 great-grandchildren; brother, Gordon of Cape Vincent; sister, Mrs. Emma Empson of Wellsville; several nieces & nephews.

Friends are welcome to call at the Richard H. Keenan Funeral Home, 41 S. Main St., Fairport Thurs. 2-4 and 7-9 where services will be held Fri. at 2:00 p.m. Those wishing may contribute to Cancer Soc.

● Creighton, Lester (Rufus Rivers)

Oct. 23, 1986. He is survived by his wife, Mattie; sons, Rufus Jr., Harry, Tommy; daughter, Barbara; son & daughter-in-law, John & Julie Rivers; daughter & son-in-law, Linda & Joel R. Cummings; sister, Cora Harris of OH; sister & brother-in-law, Clara & Joe McCaruts of Detroit, MI; grandchildren; nieces, nephews, relatives & friends.

Friends may call Wed., Oct. 29, 2-4, 7-9 at the Metropolitan Funeral Chapels, 109 West Ave. Funeral services Thurs. 1:00 p.m. at the Church of Christ, 37 Reynolds St. Interment Mt. Hope Cemetery. Rev. William Jones officiating.

● Englert, Gladys (Happy)

On October 26, 1986 she is survived by her daughter, Mrs. Virginia Sanchez or Longwood FL.; her brother, Herman Clark of Charlestown NH.; 1 grandson, Phillip Sanchez MD. of Longwood FL.; 4 great-grandchildren and 1 niece.

Friends are invited to attend Funeral Services at The John M. Hedges Funeral Home, corner of Culver Rd. & Empire Blvd., Wednesday at 1PM. Interment Holy Sepulchre Cemetery.

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